



U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

**INFORMATION DISCLOSURE  
STATEMENT**

Docket Number:  
**1662/63503**

Application Number  
**10/809,065**

Filing Date  
**March 25, 2004**

Examiner  
**Not Yet Assigned**

Art Unit  
**1623**

Invention Title  
**Degradation Products of Azithromycin and Methods For  
Their Identification**

Inventors  
**Pesachovich, et al.**

Address to:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited  
with the United States Postal Service with sufficient postage  
as first class mail in an envelope addressed to: Commissioner  
for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

Date: 8/31/04

Signature: [Handwritten Signature]

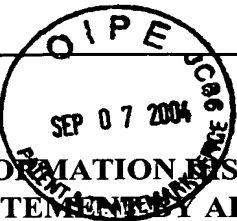
1. In accordance with the duty of disclosure under 37 C.F.R. § 1.56 and in conformance with the procedures of 35 U.S.C. §§ 1.97 and 1.98 and M.P.E.P. § 609, attorneys for Applicants hereby bring the following references to the attention of the Examiner. These references are listed on the attached modified PTO Form No. 1449. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom. The filing of this Information Disclosure Statement and the enclosed PTO Form No. 1449, shall not be construed as an admission that the information cited is prior art, or is considered to be material to patentability as defined in 37 C.F.R. § 1.56(b).
2. In accordance with the Official Gazette of August 5, 2003, which stated that the United States Patent and Trademark Office waived the requirement under 37 C.F.R. § 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. patent applications filed after June 30, 2003, copies of each of the cited U.S. patents and U.S. patent application publications are not being provided.
3. A copy of each patent, publication or other information listed on the modified PTO form 1449 is enclosed.
4. Applicant's attorney also certifies that some items of information contained in the information disclosure statement were first cited in the International Search Report (copy attached) from PCT office in a counterpart application not more than three months prior to the filing of information disclosure statement. Additionally, applicant also includes references cited in the International Search Report (copy attached) in a related application.

5. It is believed that no fees are due in connection with this Information Disclosure Statement. However, should any fees be due, the Commissioner is authorized to charge Deposit Account No. 11-0600 for such fees. A copy of this communication is enclosed for charging purposes.

Dated: 8/31/04

By: Craig L. Puckett  
Craig L. Puckett (Reg. No. 43,023)

KENYON & KENYON  
One Broadway  
New York, N.Y. 10004  
(212) 425-7200 (telephone)  
(212) 425-5288 (facsimile)  
**CUSTOMER NO. 26646**

 <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <b>PTO-1449</b>	ATTY. DOCKET NO. <b>1662/63503</b>	U.S. SERIAL NO. <b>10/809,065</b>
	APPLICANT(S) <b>Pesachovich, et al.</b>	
	FILING DATE <b>March 25, 2004</b>	GROUP <b>1623</b>

### U. S. PATENT DOCUMENTS

EXAMINER INITIAL	PATENT NUMBER	PATENT DATE	NAME	CLASS	SUBCLASS	FILING DATE
	USP 4,517,359	May 14, 1985	Kobrehel, et al.			
	USP 4,474,768	October 2, 1984	Bright			

### OTHER DOCUMENTS

EXAMINER INITIAL		AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.
		Goodman and Gilman's <i>The Pharmacological Basis of Therapeutics</i> 1137 (Joel G. Hardman <i>et al.</i> , eds.), 9th ed. 1996
		C. Vinckier et al., <i>Int. J. Pharmaceutics</i> , 55, 67-76 (1989)
		T. Cachet et al., <i>Int. J. Pharmaceutics</i> , 55, 59-65 (1989)
		E.F. Fiese and S.H. Steffen, <i>J. Antimicrobial Chemother.</i> , 25 (suppl.A) 39-47 (1990)
		Debremaeker, D., et al., "Analysis of unknown compounds in Azithromycin bulk samples with liquid chromatography coupled to ion trap mass spectrometry", <i>Rapid Communications in Mass Spectrometry</i> , 17(4), 342-350 (2003)
		"Azithromycin", <i>Pharmeuropa</i> , Vol.13, no. 4, October 2001, pages 750-754
		JP 04 253645A, 9 September 1992, Abstract, Patent Abstracts of JP, Vol. 017Q, no. 31 (m-1356)
		JP 03 111053A, 10 May 1991, Abstract, Patent Abstracts of JP, Vol. 0153, no. 02 (c-0855)
		Internet Article, 6 December 2002, XP002287130
		Internet Article, 17 May 2003, XP002287131

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	